

## **VI. EXHIBITS**

# Exhibit A-1

## “Informal, BP-8”

**Response to Informal Resolution Form**

Inmate: **SCHULTE, Joshua**  
Register Number: **79471-054**

This is in response to your February 21, 2019 Informal Resolution Form, in which you contend that your Special Administrative Measures (SAM) violate your constitutional rights by keeping you locked in your cell.

You were placed under SAMs by the Department of Justice by request from the U.S. Attorney's Office. You were provided a memo from the Warden outlining the reasons for your SAM and the restrictions consistent with your SAM, including being celled alone in an area where your contact with other inmates is restricted.

If you are not satisfied with this response, you may address your grievance through the administrative remedy program.

2/29/19  
Date

  
Unit Manager

NYM 1330.7  
ATTACHMENT 1METROPOLITAN CORRECTIONAL CENTER, NEW YORK  
ADMINISTRATIVE REMEDY PROCEDURE FOR INMATESINFORMAL RESOLUTION FORM (BP-8)

**NOTE TO INMATE:** With the exception of sensitive issues and DHO appeals, you are advised that prior to receiving and filing a Request for Administrative Remedy Form BP229(13) (old BP-9), you **MUST** attempt to informally resolve your complaint through your correctional counselor. Additionally, in accordance with P.S. 1330.13, you have the responsibility to present complaints in good faith and in an honest and straightforward manner. Before completing this form, you should make every effort to honestly attempt to informally resolve this matter verbally with staff. Briefly state ONE complaint below and list what efforts you have made to resolve your complaint informally.

Date form issued and initials of Corr. Counselor: RPRON 2/12/19INMATE'S COMMENTS:

1. Complaint: SAMs violate the 8th amendment ban of cruel & unusual punishment. Solitary confinement is worse than any torment of the body!! - Charles Dickens. The savagery of solitary confinement and permanent psychological damage is well-known and the United Nations considers any term of solitary confinement over 15 consecutive days as inhumane, barbaric torture. It is illegal to lock an animal in a small cage 24/7 unless that animal is a human being and the individual who locks the cage is the government - then it's called justice.
2. Efforts made by you to informally resolve: On Tuesday, Nov 27th I sent a list of 25 unconstitutional issues that were reviewed by the warden. I was told the issues would be addressed, but none were.

3. Names of staff you contacted/Date you contacted the staff:

Proto, Warden, 11/27/18

Date returned to Correctional Counselor: \_\_\_\_\_

<u>Schulte, Joshua</u>	<u>79471754</u>	<u>2/21/19</u>
Inmate's Name	Register Number	Date

CORRECTIONAL COUNSELOR'S COMMENTS1. Efforts made to informally resolve and staff contacted: see attached responses.Date informally resolved: 2Counselor Signature: PROTO Unit MgrDate BP-229(13) Issued: 3/4/18Unit Manager: PRON

# Exhibit A-2

## “MCC, BP-9”

**RESPONSE TO REQUEST FOR ADMINISTRATIVE REMEDY - PART B**

Inmate Name: **SCHULTE, Joshua**  
Reg. No. **79471-054**  
Administrative Remedy Id.: **971060-F1**

This is in response to your Request for Administrative Remedy dated March 6, 2019, wherein you state Special Administrative Measures violates the 8<sup>th</sup> Amendment's cruel and unusual punishment clause as solitary confinement is worse than any torment of barbaric torture. You make no specific request for relief.

An investigation into this matter revealed that you are housed in Unit 10 South in accordance with the restriction in your Special Administrative Measures (SAM), implemented by the authority of the Attorney General pursuant to 28 C.F.R. § 501.2. In addition, you are subject to the restrictions of BOP Program Statement 5270.11, Special Housing Units, which provide SHU inmates will ordinarily be afforded the opportunity to exercise outside their quarters at least five hours a week. For security reasons, recreation room time is limited to Monday through Fridays.

As you make no specific request for relief, this response is for informational purposes only.

If you are dissatisfied with this response, you may appeal to the Regional Director, Northeast Region, Federal Bureau of Prisons, Northeast Regional Office, U.S. Customs House - 7<sup>th</sup> Floor, 2<sup>nd</sup> & Chestnut Streets, Philadelphia, PA 19106, within 20 calendar days of the date of this response.

7/24/19  
Date

  
L. N'Diaye, Warden

U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons

## REQUEST FOR ADMINISTRATIVE REMEDY

Type or use ball-point pen. If attachments are needed, submit four copies. Additional instructions on reverse.

From: Schultz, Joshua, A ~~79471-054~~ 105 MCC  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A- INMATE REQUEST

Special Administrative Measures violate the 8th amendment's cruel and unusual punishment clause as solitary confinement is barbaric torture. "Solitary confinement is worse than any torment of the body" - Charles Dickens. The savagery of solitary confinement and permanent psychological damage is well-known and the United Nations considers any term of solitary confinement over 15 consecutive days as inhumane, barbaric torture. It is illegal to lock an animal in a small cage 24/7 unless that animal is a human being and the torturer is the government - then it's called "justice".

3/6/19  
DATE

Paul Kuhn  
SIGNATURE OF REQUESTER

## Part B- RESPONSE

DATE

WARDEN OR REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the Regional Director. Your appeal must be received in the Regional Office within 20 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

CASE NUMBER: \_\_\_\_\_

## Part C- RECEIPT

Return to: \_\_\_\_\_  
LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

RECIPIENT'S SIGNATURE (STAFF MEMBER)



# Exhibit A-3

## “Regional, NE”



U.S. Department of Justice

## Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Schulke, Joshua A 74471054 105 MCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

Revoke SAMs: I did not receive a response to my BP-9 filed on 3/6/19, and it has now exceeded the 20-day time limitation. SAMs violate the 5<sup>th</sup> amendment's due process clause and the 8<sup>th</sup> amendment's ban of cruel and unusual punishment. "Solitary Confinement is worse than any torment of the body" - Charles Dickens. The savagery of solitary confinement and permanent psychological damage is well-known - The United Nations considers any term of solitary confinement over 15 consecutive days as inhumane, barbaric torture. It is illegal to lock an animal in a small cage 24/7 unless that animal is a human being and the one who locks the cage is the government - then it's called "justice". If the AG ordered the BOP to rape and beat prisoners then surely the BOP would not follow that order? The BOP is guilty of atrocious crimes against humanity for torturing human beings at the command of the AG - Just as the nazis were convicted for "Merely following orders" (torture and murder of innocent human beings) - so too is everyone in the BOP who sanctions this torture. Unless you end it here - and now.

DATE

SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

ORIGINAL: RETURN TO INMATE

CASE NUMBER: \_\_\_\_\_

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL




# Exhibit A-4

## “Central Office”

REJECTION NOTICE - ADMINISTRATIVE REMEDY


DATE: MAY 31, 2019

  
FROM: ADMINISTRATIVE REMEDY COORDINATOR  
CENTRAL OFFICE

TO : JOSHUA ADAM SCHULTE, 79471-054  
NEW YORK MCC UNT: 9 QTR: Z07-304LAD  
150 PARK ROW  
NEW YORK, NY 10007


FOR THE REASONS LISTED BELOW, THIS CENTRAL OFFICE APPEAL  
IS BEING REJECTED AND RETURNED TO YOU. YOU SHOULD INCLUDE A COPY  
OF THIS NOTICE WITH ANY FUTURE CORRESPONDENCE REGARDING THE REJECTION.

REMEDY ID : 979384-A1 CENTRAL OFFICE APPEAL  
DATE RECEIVED : MAY 13, 2019  
SUBJECT 1 : COMMUNICATION MANAGEMENT UNIT  
SUBJECT 2 :  
INCIDENT RPT NO:

REJECT REASON 1: YOU SUBMITTED YOUR REQUEST OR APPEAL TO THE  
WRONG LEVEL. YOU SHOULD HAVE FILED AT THE  
INSTITUTION,   
OFFICE LEVEL.

REJECT REASON 2: ALL FOUR PAGES OF YOUR (BP-9) (BP-10) (BP-11) FORM MUST BE  
LEGIBLE AND WORDED THE SAME. PHOTOCOPIES OF THE FORM WILL  
NOT BE ACCEPTED.

REJECT REASON 3: SEE REMARKS.

REMARKS : NO RECORD OF YOUR APPEALING THIS FIRST AT  
INSTITUTIONAL LEVEL ACCORDING TO SENTRY. WARDEN MUST  
ADDRESS YOUR CONCERN FIRST  


ATTENTION: \* NO BALLPOINT PEN \*

AS A SAMS INMATE HELD IN  
SOLITARY CONFINEMENT, I  
HAVE NO ACCESS TO A  
BALLPOINT PEN OR PHOTOCOPIER

U.S. Department of Justice

## Central Office Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy each of the completed BP-229(13) and BP-230(13), including any attachments must be submitted with this appeal.

From: Schulte, Joshua A 79471054 105 MCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

Revoke SAMs & Solitary confinement: Regional received my BP-10 on 4/12 and denied it without reason. SAMs violate the 5<sup>th</sup> amendment's due process clause and the 8<sup>th</sup> amendment's ban of cruel and unusual punishment. "Solitary confinement is worse than any torment of the body" - Charles Dickens. The savagery of Solitary confinement and permanent psychological damage is well-known - The United Nations considers any term of Solitary confinement over 15 consecutive days as inhumane, barbaric torture. It is illegal to lock an animal in a small cage 24/7 unless that animal is a human being and the one who locks the cage is the government - then it's called "justice". If the AG ordered the BOP to rape and beat prisoners then surely the BOP would not follow that order? The BOP is guilty of atrocious crimes against humanity for torturing human beings at the command of the AG - Just as the Nazis were convicted for "merely following orders" (torture and murder of innocent human beings) - So too is everyone in the BOP who sanctions this torture.

5/6/19  
 DATE

Josh Schulte  
 SIGNATURE OF REQUESTER

## Part B - RESPONSE

RECEIVED

MAY 13 2019

Administrative Review Division  
 Federal Bureau of Prisons

DATE

GENERAL COUNSEL

ORIGINAL: RETURN TO INMATE

CASE NUMBER:

979384-A1

## Part C - RECEIPT

CASE NUMBER:

Return to:

LAST NAME, FIRST, MIDDLE INITIAL

REG. NO.

UNIT

INSTITUTION

SUBJECT:

DATE

SIGNATURE OF RECIPIENT OF CENTRAL OFFICE APPEAL



U.S. Department of Justice

## Regional Administrative Remedy Appeal

Federal Bureau of Prisons

Type or use ball-point pen. If attachments are needed, submit four copies. One copy of the completed BP-229(13) including any attachments must be submitted with this appeal.

From: Schulze, Joshua A 74471454 16S MCC  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

## Part A - REASON FOR APPEAL

Revoke SAMC. I did not receive a response to my BP-9 filed on 3/6/19 and I have now exceeded the 20-day time limit on SAMC. I violate the 5th amendment due process clause and the 8th amendment ban of cruel and unusual punishment. Solitary confinement is worse than any punishment of the holy - Charles Dickens. The savagery of solitary confinement and permanent isolation is well known - The United Nations considers any term of solitary confinement over 15 consecutive days as inhuman, barbaric torture. If anyone is in solitary it is a small cage 24/7 unless that animal is a human being and the one who locks the cage is the guardian - it is called justice. If the AG ordered the BOP to rape and beat prisoners then surely the BOP would not follow orders. If the BOP is guilty of atrocious crimes against humanity for torturing human beings at the command of the AG - just as the Nazis were convicted for merely following orders (torture and murder of innocent human beings) - so too is everyone in the BOP who sanctions this torture. Unless you end it here - and now.

DATE

SIGNATURE OF REQUESTER

## Part B - RESPONSE

DATE RECEIVED  
 FEDERAL BUREAU OF PRISONS  
 REGIONAL COUNSEL OFFICE

APR 12 2019

NERO-PHILADELPHIA

DATE

REGIONAL DIRECTOR

If dissatisfied with this response, you may appeal to the General Counsel. Your appeal must be received in the General Counsel's Office within 30 calendar days of the date of this response.

FIRST COPY: REGIONAL FILE COPY

CASE NUMBER: \_\_\_\_\_

## Part C - RECEIPT

CASE NUMBER: \_\_\_\_\_

Return to: \_\_\_\_\_  
 LAST NAME, FIRST, MIDDLE INITIAL REG. NO. UNIT INSTITUTION

SUBJECT: \_\_\_\_\_

DATE

SIGNATURE, RECIPIENT OF REGIONAL APPEAL